

TREASURY DEPARTMENT

COAST GUARD

General expenses, Coast Guard: For an additional amount for general expenses, Coast Guard, fiscal year 1941, including the objects specified under this head in the Treasury Department Appropriation Act, 1941, \$738,000, of which amount \$551,820 is hereby continued available until June 30, 1942; and the text of such appropriation is hereby amended by inserting after the words "when transferred from one official station to another for permanent duty;" the words "preparing and transporting the remains of deceased civilian employees, transportation expenses of dependents of deceased civilian employees, and packing, crating, drayage, and transportation of household effects and other personal property of deceased civilian employees under the conditions prescribed by the Act of July 8, 1940 (Public, Numbered 729), and regulations promulgated thereunder;"

Ante, p. 73.

54 Stat. 64.

Amendment.
54 Stat. 65.

54 Stat. 743.
5 U. S. C. §§ 103a,
103b.
Ante, p. 73.

Special projects, aids to navigation: For an additional amount for establishing and improving aids to navigation and other works, \$2,390,000, which sum shall be available for all expenditures directly relating thereto.

Emergency construction, Coast Guard vessels and shore facilities: For an additional amount for construction of Coast Guard vessels and shore facilities, including the objects specified under this head in the First Supplemental Civil Functions Appropriation Act, 1941, \$428,000.

Ante, p. 73.

54 Stat. 1046.

BUREAU OF THE MINT

Salaries and expenses, mints and assay offices: For an additional amount for salaries and expenses, mints and assay offices, fiscal year 1941, including the objects specified under this head in the Treasury Department Appropriation Act, 1941, \$270,500.

54 Stat. 68.

WAR DEPARTMENT—CIVIL FUNCTIONS

CORPS OF ENGINEERS

Rivers and harbors: For an additional amount for the preservation and maintenance of existing river and harbor works, and for the prosecution of projects heretofore authorized, including the objects and under the conditions specified under this head in the War Department Civil Appropriation Act, 1941, to be available until expended, \$540,000.

Ante, pp. 74, 130.

54 Stat. 506.

SEC. 2. This Act may be cited as the "Additional Urgent Deficiency Appropriation Act, 1941".

Short title.

Approved, May 24, 1941.

[CHAPTER 133]

JOINT RESOLUTION

Relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

May 26, 1941
[S. J. Res. 60]
[Public Law 74]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of the Agricultural Adjustment Act of 1938, as amended (hereinafter referred to as the Act)—

(1) The farm marketing quota under the Act for any crop of wheat shall be the actual production of the acreage planted to wheat on the farm, less the normal production or the actual production, whichever is the smaller, of that acreage planted to wheat on the farm which is in excess of the farm acreage allotment for wheat. The farm marketing quota under the Act for any crop of corn shall be the actual pro-

Agricultural Adjust-
ment Act of 1938,
amendments.
52 Stat. 48, 52.
7 U. S. C. §§ 1321-
1329, 1331-1339.
Post, pp. 860, 872.
Wheat marketing
quotas.

Corn marketing
quotas.

duction of the acreage planted to corn on the farm, less the normal production or the actual production, whichever is the smaller, of that acreage planted to corn on the farm which is in excess of the farm acreage allotment for corn.

"Farm marketing excess."

The normal production, or the actual production, whichever is the smaller, of such excess acreage is hereinafter called the "farm marketing excess" of corn or wheat, as the case may be. For the purposes of this resolution, "actual production" of any number of acres of corn or wheat on a farm means the actual average yield of corn or wheat, as the case may be, for the farm times such number of acres.

"Actual production."

Penalty on marketing excess.

(2) During any marketing year for which quotas are in effect, the producer shall be subject to a penalty on the farm marketing excess of corn and wheat. The rate of the penalty shall be 50 per centum of the basic rate of the loan on the commodity for cooperators for such marketing year under section 302 of the Act and this resolution.

52 Stat. 43.
7 U. S. C. § 1302.
Computation of
penalty, storage
amount, etc.

(3) The farm marketing excess for corn and wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts to be delivered to the Secretary of the commodity shall be computed upon the normal production of the excess acreage. Where, upon the application of the producer for an adjustment of penalty or of storage, it is shown to the satisfaction of the Secretary that the actual production of the excess acreage is less than the normal production thereof, the difference between the amount of the penalty or storage as computed upon the basis of normal production and as computed upon the basis of actual production shall be returned to or allowed the producer. The Secretary shall issue regulations under which the farm marketing excess of the commodity for the farm may be stored or delivered to him. Upon failure to store or deliver to the Secretary the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary, the penalty computed as aforesaid shall be paid by the producer. Any corn or wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or in foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce.

Storage or delivery
of excess to Secretary.

Disposition.

Crop subject to lien.

(4) Until the producers on any farm store, deliver to the Secretary, or pay the penalty on, the farm marketing excess of any crop of corn or wheat, the entire crop of corn or wheat, as the case may be, produced on the farm shall be subject to a lien in favor of the United States for the amount of the penalty.

Depletion in
amount stored.

(5) The penalty upon corn or wheat stored shall be paid by the producer at the time, and to the extent, of any depletion in the amount of the commodity so stored, except depletion resulting from some cause beyond the control of the producer.

Reduction of storage
amount.

(6) Whenever the planted acreage of the then current crop of corn or wheat on any farm is less than the farm acreage allotment for such commodity, the total amount of the commodity from any previous crops required to be stored in order to postpone or avoid payment of penalty shall be reduced by that amount which is equal to the normal production of the number of acres by which the farm acreage allotment exceeds the planted acreage. The provisions of section 326 (b) and (c) of the Act shall be applicable also to wheat.

52 Stat. 51.
7 U. S. C. § 1326 (b),
(c).

Exemptions.
Small acreage.

(7) A farm marketing quota on corn or wheat shall not be applicable to any farm on which the acreage planted to the commodity is not in excess of fifteen acres. The marketing penalty on corn or wheat shall not be applicable to any farm which, under the terms of the

Nonallotment
farms.

then current agricultural conservation program formulated under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, is classified as a nonallotment farm if the acreage of the commodity harvested on such nonallotment farm is not in excess of fifteen acres or the acreage allotment for the farm, whichever is larger. If the acreage of the commodity harvested on any such nonallotment farm is in excess of fifteen acres and in excess of such acreage allotment, the normal production or the actual production, whichever is the smaller, of the acreage harvested in excess of fifteen acres or such acreage allotment, whichever is larger, shall be taken as the farm marketing excess and shall be subject to penalty: *Provided*, That there shall be no penalty on wheat harvested on any such nonallotment farm from which no wheat is sold if the acreage of wheat harvested on such farm does not exceed such acreage per family living thereon as may be used for home consumption without reducing the payment with respect to the farm under the then current agricultural conservation program: *Provided further*, That for the marketing year beginning in 1941, there shall be no marketing penalty on wheat with respect to any such nonallotment farm if the acreage of wheat harvested on the farm is not in excess of the usual acreage determined for the farm under the 1941 agricultural conservation program and the county committee determines, in accordance with regulations of the Secretary, that there will not be marketed an amount of wheat in excess of the 1941 farm marketing quota.

(8) Until the farm marketing excess of corn or wheat, as the case may be, is stored or delivered to the Secretary or the penalty thereon is paid, each bushel of the commodity produced on the farm which is sold by the producer to any person within the United States shall be subject to the penalty as specified in paragraph (2) of this resolution. Such penalty shall be paid by the buyer, who may deduct an amount equivalent to the penalty from the price paid to the producer.

(9) The marketing penalty for cotton and rice produced in the calendar year in which any marketing year begins (if beginning with or after the 1941–1942 marketing year) shall be at a rate equal to 50 per centum of the basic rate of the loan for cooperators for such marketing year under section 302 of the Act and this resolution.

(10) The Commodity Credit Corporation is directed to make available upon the 1941 crop of the commodities cotton, corn, wheat, rice, or tobacco, for which producers have not disapproved marketing quotas for the marketing year beginning in 1941, loans as follows:

(a) To cooperators (except cooperators outside the commercial corn-producing area, in the case of corn) at the rate of 85 per centum of the parity price for the commodity as of the beginning of the marketing year;

(b) To cooperators outside the commercial corn-producing area, in the case of corn, at the rate of 75 per centum of the rate specified in (a) above;

(c) To noncooperators (except noncooperators outside the commercial corn-producing area, in the case of corn) at the rate of 60 per centum of the rate specified in (a) above and only on so much of the commodity as would be subject to penalty if marketed.

(11) The provisions of this resolution are amendatory of and supplementary to the Act, and all provisions of law applicable in respect of marketing quotas and loans under such Act as so amended and supplemented shall be applicable, but nothing in this resolution shall be construed to amend or repeal section 301 (b) (6), 323 (b), or 335 (d) of the Act.

Approved, May 26, 1941.

49 Stat. 1148.
16 U. S. C. §§ 590g–590q.

Proviso.
Wheat for home consumption.

Conformity with conservation program.

Sale of commodity before storage of excess, etc.; penalty.

Cotton and rice.
Marketing penalty.

52 Stat. 43.
7 U. S. C. § 1302.

Commodity Credit Corporation.
Loans upon designated crops.
Post, p. 860.

Applicability of provisions.

52 Stat. 40, 50, 55.
7 U. S. C. §§ 1301 (b) (6), 1323 (b), 1335 (d).